

SENATE BILL REPORT

ESSB 5942

As Passed Senate, March 12, 2001

Title: An act relating to dog guides and service animals.

Brief Description: Increasing penalties for crimes against dog guides and service animals.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators McAuliffe, Jacobsen and Oke).

Brief History:

Committee Activity: Judiciary: 2/27/01 [DPS].

Passed Senate: 3/12/01, 47-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5942 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Constantine, Vice Chair; Costa, Hargrove, Long and McCaslin.

Staff: Lidia Mori (786-7755)

Background: Current law provides that any person, firm, corporation, or agent of any person, firm, or corporation who denies or interferes with admittance to or enjoyment of public facilities or interferes with the rights of a totally or partially blind, hearing impaired, or otherwise physically disabled person is guilty of a misdemeanor. Supporters of this bill believe this sanction does not cover dog owners who allow their dogs to run loose and harass or interfere with a guide dog or a person using a guide dog.

Summary of Bill: It is a misdemeanor for a person, who has received notice that his or her behavior is interfering with the use of a dog guide or service animal, to continue with reckless disregard, to interfere with the use of the dog guide or service animal. A second or subsequent offense is a gross misdemeanor. A person who, with reckless disregard, allows his or her dog to interfere with the use of a dog guide or service animal by obstructing, intimidating, or otherwise jeopardizing the safety of the dog guide or service animal user or the dog guide or service animal is guilty of a misdemeanor. A second or subsequent offense is a gross misdemeanor. It is a gross misdemeanor if a person, with reckless disregard, injures, disables, or causes the death of a dog guide or service animal or allows his or her dog to do so. It is a class C felony to intentionally injure, disable, or cause the death of a dog guide or service animal.

A person who wrongfully obtains or exerts unauthorized control over a dog guide or service animal with intent to deprive its user of his or her dog guide or service animal is guilty of theft in the first degree.

In any case in which the defendant is convicted of a violation of the above, he or she shall also be ordered to make full restitution for all damages incurred by the dog guide or service animal user and the dog guide or service animal.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The sanctions in local leash laws are not severe enough for situations where guide dogs are attacked or harassed by other dogs that are loose. A disabled person is put at grave risk when his or her service dog is hampered or impaired in any way. It is also a huge financial loss when a guide dog is injured or psychologically harmed to the extent that he or she is no longer able to perform.

Testimony Against: This is an important issue and needs more study and involvement of other groups like the National Federation for the Blind.

Testified: Senator McAuliffe; Hy Cohen (pro); Shelly Cohen (pro); Gary Burdette, Washington Council for the Blind (con); Michael Freeman, National Federation of the Blind (con); Mary Rook, Northwest Aide Dog Foundation (con); Barry Sheridan, Assistance Dog Club (pro).